

## Pennsylvania's 100% Tobacco Free Schools Toolkit *for Student Assistance Programs*



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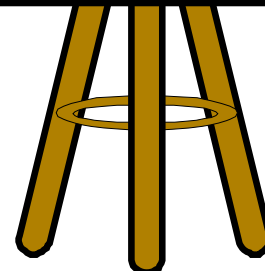
Includes fact sheets; presentations for students, parents and staff; and templates that are available on CD or at [www.tobaccofreeallegheny.org](http://www.tobaccofreeallegheny.org)

**TobaccoFreeAllegheny**

This presentation is part of the Tobacco Free Schools Toolkit. The printed booklet that accompanies the presentation is available from Tobacco Free Allegheny.

**TobaccoFreeAllegheny**

# Writing a Tobacco Free School Policy



# Templates

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- **A Model 100% Tobacco-Free School Policy for North Carolina School Districts**  
[www.nctobaccofreeschools.org/adopt/modelpolicyTPCB.shtm](http://www.nctobaccofreeschools.org/adopt/modelpolicyTPCB.shtm)
- **Oregon School Boards Association—Tobacco-Free Environment**  
[www.lungoregon.org/tobacco/Tobacco-FreeSchoolPolicy.html](http://www.lungoregon.org/tobacco/Tobacco-FreeSchoolPolicy.html)
- **STOP (Southern Aroostook Tobacco-free Outreach Project)**  
[www.sad.k-12.me.us/coordinatedSchoolHealthProgram.htm](http://www.sad.k-12.me.us/coordinatedSchoolHealthProgram.htm)
- **Utah! Tobacco Prevention and Control Program—A School's Guide to Comprehensive Tobacco Control**  
[Http://www.tobaccofreeutah.org/schoolguide.pdf](http://www.tobaccofreeutah.org/schoolguide.pdf)

# What Does the Law Require

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# Federal: Pro Children Act of 1994

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- Prohibits smoking in facilities in which certain federally funded children's services are provided on a routine or regular basis
- Applies to practically all schools
- Civil money penalties of up to \$1,000 each day there is a violation

# State of Pennsylvania: Act 145 of 1997

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- Prohibits possession or use of tobacco in school buildings; on buses, vans or other vehicles owned by, leased by or under the control of the school district; and on property owned by, leased by or under the control of a school district
- Subjects offenders to prosecution for summary offense
- Assesses fines of not more than \$50 or offender may be admitted to an adjudication alternative.

# State of Pennsylvania: Act 36

## Section 1303-A of 1999 (School Safety)

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- Schools shall report all new incidents of violence, weapons or possession, use, sale of controlled substances, including tobacco

# State of Pennsylvania: Act 128 of 2000

## Section 3.5 School Tobacco Control

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- Tobacco use, or possession, by pupils or any other person is prohibited in school buildings; on buses, vans or other vehicles owned by, leased by, or under the control of the school district; and on property owned by leased by or under the control of a school district.
- Designate an area no less than 50 ft. from school stadium or bleachers

# Guidelines for Writing a Comprehensive Tobacco Policy

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# What Does Good Tobacco Policy Include?

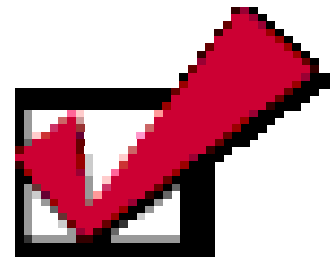
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1. Prohibit students, staff, parents and visitors from using tobacco on school premises, in school vehicles and at school functions
2. Prohibit tobacco advertising (e.g., on signs, T-shirts or caps or through sponsorship of school events) in school buildings, at school functions and in school publications

# What Does Good Tobacco Policy Include? (cont.)

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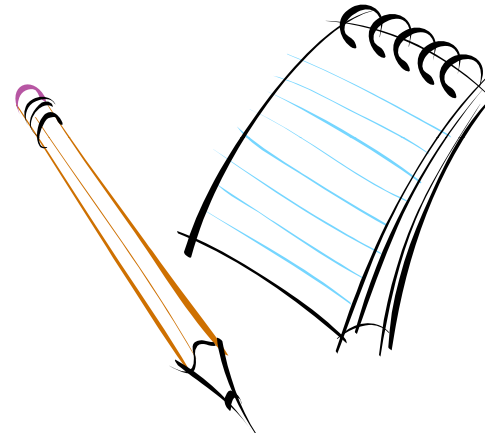
3. Provide access and referral to cessation programs for students and staff
4. Help students who violate tobacco-free policies to quit using tobacco rather than just punishing them
  - Graduated sanctions for students and staff
  - SAP referral written into policy
5. Guide for assessing district's present policy on tobacco use
6. Identify responsible person to implement and promulgate the policy



# Pennsylvania's Policy Format

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- Purpose
- Definitions
- Authority
- Delegation of Responsibility
- Guidelines



# Purpose

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- Board recognizes its responsibility to protect health, safety and welfare of students, staff, parents and general public in the district, at school-sponsored events and in all modes of transportation used by the district 24/7
- Board recognizes the health-endangering consequences of tobacco use
- Board recognizes its duty to uphold the law by providing a tobacco-free environment
- Board recognizes its responsibility to provide role models for students

# Definitions

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- Tobacco
- Tobacco products
- Tobacco use
- Tobacco advertising or promotions
- Tobacco cessation programs
- Tobacco-free environment

# Authority

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Federal & State  
Law translated  
Into PA School  
Code



- **20 U.S.C. Sec 7181 et seq**—Not permitted to use tobacco products at any times
- **Pa Code Title 22 Sec 12.3**—Not permitted to use tobacco products in building, facilities or vehicles, owned, leased or chartered
- **35 P.S. 1223.5**—Not permitted to use tobacco at school-sponsored or school-related events on or off campus
- **18 PA C.S.A. Sec 6306.1**—Definition of tobacco products and prosecution for violation
- **S.C. 510 1303-A**—Required reporting to Office of Safe Schools for incidents of possession, use and sale of tobacco

# Delegation of Responsibility

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- It is the responsibility of the superintendent or his/her designee to notify persons impacted by the policy on an annual basis through multiple means.
- It is the responsibility of the superintendent or his/her designee to develop procedures for the implementation of policy.

# Guidelines

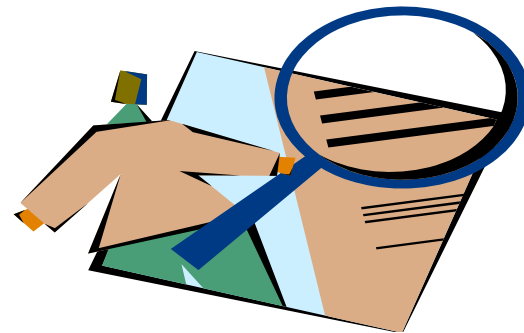
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Act 36 Section 1303-A of 1999  
(school safety)—School Code  
510

- Schools shall report all new incidents of violence, weapons or possession, use, sale of controlled substances, including tobacco

How this is accomplished:

- Report made to Office of Safe Schools each year



# Responsibility of Staff

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- Maintain optimum learning environment
- Provide K-12 instruction
- Promote positive school climate
- Enforce discipline in relationship to ATOD
- Report use and distribution
- Adhere to procedures

# Graduated Sanctions

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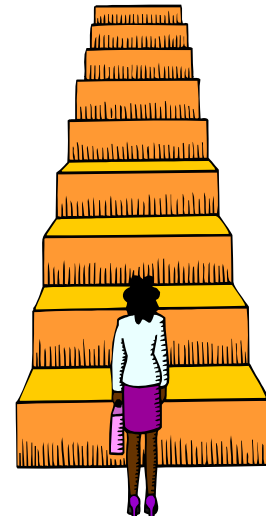
- Recognizing that addiction to nicotine is difficult to overcome, progressive or graduated sanctions are employed.
- The policy specifies increasingly stronger sanctions for each violation.

## Example:

**First**, a warning

**Second**, a parent conference

**Third**, suspension



# Alternatives to Suspension

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- Programs offered as part of graduated sanctions with the intent to delay or prevent the next step of discipline
  - Designed to help the individual comply with school policy through management of their tobacco use
  - School-Based Educational Group (alternative to suspension from American Lung Association)
- Tobacco Cessation

# Promulgating the Policy

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- Notification of the policy with a “parent packet” at the beginning of the school term
- Notification in all event programs of the smoke-free policy and reminders over speaker system
- Policy sent home to be signed
- Policy on the district website
- Signage in the building and on school grounds
- Periodic reminders in newsletters

# Enforcement Concerns

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- How do we handle visitors on school property or at school-sponsored events?
  - Announcements at all gatherings
  - Announcements in publications and wherever school policies are available
  - Signs posted throughout buildings and grounds, especially where visitors are likely to gather (athletic events, concerts, etc.)
- How will we handle students who continue to use on school- property and at school sponsored events?
  - Commitment from staff to enforcement of the policy
  - Progressive discipline
  - Signage to remind students of the policy
  - Referral to the Student Assistance Program
  - Referral to a cessation program

# Enforcement Concerns (cont.)

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- How do we handle staff who violate the policy?
  - Part of bargaining with the union
  - Referral to cessation program
- How do we handle students going off the school grounds to use tobacco?
  - Students not permitted to leave school grounds
  - Policy could use the term “proximity to school” as being in view of the school or district has “door to door” responsibility for students and policy extends beyond the school’s borders.



# 100% Tobacco Free

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- Assessment tool for becoming a 100% Tobacco-free school district
- Web site:

[www.nctobaccofreeschool.com/adopt/TSFNeedsAssessmentTool.pdf](http://www.nctobaccofreeschool.com/adopt/TSFNeedsAssessmentTool.pdf)



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For more information, contact:

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This presentation was prepared by the staff at UPMC Addiction Medicine Services.